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Application Serial No.: 10/673,390
Amendment and Response to September 26, 2006 Final Office Action**REMARKS**

Claims 1 - 7, 9 - 17, 20 and 21 are in the application. Claims 1- 7, 10 - 17, 20 and 21 were previously presented; and claim 9 is currently amended. Claims 1, 20 and 21 are the independent claims herein.

No new matter has been added to the application. Claim 9 is amended solely to correct an informality therein. Reconsideration and further examination are respectfully requested.

Claim Objections

Claim 9 was objected to for depending from claim 8, which has been canceled.

Applicant acknowledges with appreciation the Examiner's notation of the typographical error in claim 9. In reply to the objection, claim 9 is submitted for amendment herewith to correct the dependency of claim 9. In particular, claim 9 is amended to depend from claim 1.

Accordingly, Applicant requests the entry of amended claim 9, which overcomes the objection of record. Furthermore, Applicant respectfully requests the reconsideration and withdrawal of the objection to claim 9.

Claim Rejections - 35 USC § 102

Claims 1 - 7, 9 - 17, and 20 - 21 were rejected under 35 U.S.C. 102(b) as being anticipated by Diacakis et al., U.S. Publication No. 2002/0116336 (hereafter, Diacakis). This rejection is respectfully traversed.

Regarding the rejection of claim 1, Applicant reiterates that claim 1 relates to a method that includes receiving a request to make a change to a new identity context for an identity wherein the identity context is associated with the identity and provides an availability status of the identity; and mapping the new identity context to a device context for a device associated with the identity wherein the device context provides an

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availability status of the device. Clearly, the claimed identity context provides an availability of the identity (e.g., individual or group) and the device context provides an availability status of a device. Furthermore, the claim clearly states that the identity context is mapped to the device context.

Applicant respectfully notes that claim 20 (reciting an article of manufacture) and claim 21 (reciting an apparatus) are worded similar to claim 1 regarding the claimed identity context, the device context, and mapping the identity context to the device context.

Thus, each of Applicant's independent claims recite an identity context that provides an availability of status of an identity, a device context that provides an availability of status of a device, and an aspect of mapping the identity context to the device context. Since the identity context relates to the availability status of an identity (e.g., individual or group) and the device context relates to the availability of a device, the claimed mapping of the identity context to the device context provides a mechanism to associate and correlate the availability of an identity with a device's availability. As discussed in the Specification, the recited identity context that provides an availability of status of an identity, the device context that provides an availability of status of a device, and the mapping the identity context to the device context may facilitate, for example, mapping and viewing identity oriented contexts in device oriented context based applications. (See Specification paragraphs [0005] and [0033] – [0041])

Applicant respectfully submits that the cited and relied upon Diacakis does not disclose or suggest, at least, the claimed device context and the mapping of the identity context to a device context for a device associated with said identity, wherein the device context provides an availability status of the device. Applicant reiterates that the claimed device context provides an indication of a status of a device.

The Office Action continues to cite and rely upon Diacakis paragraphs [0031], [0032], [0034], [0035], [0045], and FIGS. 2 and 8 for allegedly disclosing mapping the new identity context to a device context for a device associated with the identity,

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wherein the device context provides an availability status of the device. However, Diacakis, both at these specific cites and throughout the disclosure thereof, clearly discloses determining a presence of an individual or group of individuals at most. Diacakis does not disclose an availability status of a device.

Specifically, Diacakis discloses, "the presence engine 18 may ascertain the individual's presence on each of the monitored networks" (emphasis added) (See Diacakis, paragraph [0055]). Further, Diacakis discloses a method and system where "the individual may define a series of profiles that describe a situation that the individual may be in" (paragraph [0031], ln. 17-20); "an individual may have an office profile.... The individual may specify which persons belong to each access level for each profile." (paragraph [0032]); "P&A management system server 12 detects a change in, for example, the individual's situation" (paragraph [0034]); "P&A management server 12 detects that the individual is at work, the server 12 transmits the individual's updated P&A information to the clients 22" (paragraph [0035]); and "the presence detection engine 18 may determine additional information about the individual (paragraph [0045]).

Thus, each of the portions of Diacakis cited and relied upon to support a disclosure of Applicant's claimed mapping of an identity context to a device context instead relate to specifying and/or determining a presence and availability of an individual. As Diacakis states, the presence and availability (P&A) management system therein relates to a presence "defined as the ability of an individual to access a particular communications network" and an availability of an individual which is "defined as a willingness of an individual who is present on one or more communications networks to be reached by one or more persons". (emphasis added) (See Diacakis, paragraphs [0026] – [0028]) That is, the presence and availability of Diacakis provides an availability and presence of an individual.

No device context wherein the device context provides an availability status of a device is disclosed by Diacakis.

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Regarding the Office Action's citation of Diacakis, paragraphs [0026] and [0045], to further argue the disclosure of a device context that provides an availability of status of a device, Applicant repeats paragraphs [0026] and [0045] below.

[0026] As used herein, the term "presence" is defined as the ability of an individual to access a particular communications network. For example, if a person is near a landline telephone or wireless telephone that is switched on, that person is "present" on a telephone network, i.e., the person is able to use the telephone network to communicate with other people also on the network. Conversely, if a person is not near a landline telephone or wireless telephone, or the wireless telephone is switched off, then that person is not present on a telephone network, and thus unable to communicate with others on the telephone network. Similarly, if a person uses an instant messaging (IM) application at a given point in time, the person is present on that instant messaging network. (emphasis added)

[0045] Based on the presence information on such devices 44-52, the presence detection engine 18 may determine additional information about the individual, such as the individual's status 54 on particular networks (such as on or off) or the individual's physical location 56. In addition, based on information regarding each of these devices 44-53 the presence detection engine 18 may determine the individual's current capabilities 58 such as, for example, whether he can receive voice information, data files, audio files, video files, etc. (emphasis added)

Thus, based on the same citations relied upon by the Examiner, it is clear and definite that Diacakis unambiguously discloses a presence and availability that provides an availability, status, presence, location, and capability of an individual. Applicant respectfully submits that Diacakis does not disclose a "device context", as claimed by Applicant.

Therefore, Applicant respectfully submits that the cited and relied upon Diacakis does not disclose that for which it was cited and relied upon for disclosing. In particular, Diacakis fails to disclose each and every aspect of claims 1, 20, and 21, as is required for anticipation under 35 USC 102(b).

Claims 2 – 7 and 9 – 17 depend from claim 1. Applicant respectfully submits that claims 2 – 7 and 9 – 17 are also patentable over Diacakis under 35 USC 102(b) for

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at least depending from a patentable base claim. Therefore, the reconsideration and withdrawal of the rejection of claims 1 – 7, 9 – 17, and 20 – 21 are respectfully requested, as well as the allowance of same.

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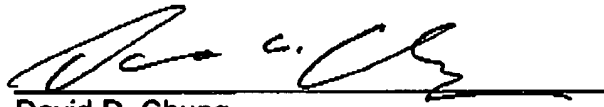
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CONCLUSION

Accordingly, Applicant respectfully requests allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (650) 694-5339.

Respectfully submitted,

15 Nov 2006
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